



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST-NAMED APPLICANT	ATTORNEY DOCKET NO.
07/103,192	10/01/87	BERGMAN	JPL87-U08

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EXAMINER	
KRUESS, R	
ART UNIT	PAPER NUMBER
237	5

DATE MAILED: 06/09/89

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 3-6-89 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449 | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474 | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-36 are pending in the application.
Of the above, claims 6-10, 14-18, and 24-36 are withdrawn from consideration.
2. ☐ Claims have been cancelled.
3. ☐ Claims are allowed.
4. ☒ Claims 1-5, 11-13, and 19-23 are rejected.
5. ☐ Claims are objected to.
6. ☐ Claims are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.
8. ☐ Allowable subject matter having been indicated, formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on . These drawings are ☐ acceptable; ☐ not acceptable (see explanation).
10. ☐ The ☐ proposed drawing correction and/or the ☐ proposed additional or substitute sheet(s) of drawings, filed on has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed , has been ☐ approved. ☐ disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections MUST be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.
12. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. ; filed on .
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

Art Unit 237

Applicant should note that a typographical error exists in the first Office action dated 2-9-89. Page 2, lines 25-27 should read, "If claims 1-5 are subsequently found to be allowable, the question of rejoinder will be considered.

Claims 6-10, 14-18 and 24-36 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b) as being drawn to a nonelected invention. Election was made without traverse in Paper No. 4.

Claims 1-5, 11-13, and 19-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the structure or format of the claim is confusing. The preamble indicates an improvement "comprising" something and the body indicated (a) and (b) divisions which are inconsistent with such. Section (a) appears to be a description of the logic which would better follow a preamble ending with "the improvement wherein:". Section (b) is inconsistent with (a) and better follows "the improvement comprising:"

In line 13, "The class" lacks proper antecedent basis.

In claim 11, line 4, "The function", lines 4-5, "the effective address", line 6, "the improved

Art Unit 237

method" and line 12, "the class" lack proper antecedent basis.

In claim 19, line 7, "the function", lines 7-8, "the effective address" and line 15, "the class" lack proper antecedent basis.

Correction is required within the context of the claims.

The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1-4, 11, 12 and 19-22 are rejected under 35 U.S.C. 103 as being unpatentable over Brown et al.

Brown et al teach a Program Instruction Mechanism very similar to Applicant's claimed computer and method of operation. Brown teaches the invention substantially as claimed including individual elements

and element selection determining function and class of function as are claimed. See fig. 2 and col. 4, lines 15-67. It is noted that Brown does not disclose of the individual elements being on a common support substrate as is claimed. However, it is common knowledge in the prior art to form a given processing system on a common substrate in the same field of endeavor for the purpose of integrating the system into a simplified package. It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the system of Brown on a common substrate in order to integrate the system into a more simplified package, and thus form a system and method on which the claims read.

Claims 5, 13 and 23 are rejected under 35 U.S.C. 103 as being unpatentable over Brown et al in view of Wu et al or Bergman et al.

Brown et al discloses the invention substantially as claimed, as above. However, Brown does not disclose transmitting and switching signals optically to various elements handling the routines. Both Wu et al and Bergman et al teach how optical interconnection may be used in existing microcircuits for the purpose of greter flexibility in signal routing. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Brown's signal interconnections with optical

Serial Number 103,192

-5-

Art Unit 237

interconnections as taught by Wu or Bergman in order to provide the system of Brown with greater flexibility in signal routing and thus form a system and method on which the claims read.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kevin A. Kriess whose telephone number is (703) 557-8037.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 557-2878.


KRIESS/MS

6/5/89



GARETH D. SHAW
SUPERVISORY PATENT EXAMINER
ART UNIT 237